REMARKS

This is in full and timely response to the non-final Official Action of June 24, 2009. Reexamination in light of the following remarks is respectfully requested. No new matter has been added. Claims 1-15 are currently pending in this application, with claims 1, 8 and 15 being independent.

I. Priority Documents

Applicants respectfully request acknowledgment of a claim for foreign priority. That is, Applicants respectfully request that in Office Action Summary, the section "3." of "Priority under 35 U.S.C. §119" be checked.

II. Information Disclosure Statement

Applicants thank the Examiner for providing an initialed copy of form PTO/SB/08a/b, which was submitted by the Applicants on August 21, 2006.

III. Preliminary Amendment

It is noted with appreciation that the preliminary amendment filed August 21, 2006 is entered and acknowledged.

IV. Claim Rejection – 35 U.S.C. §112

Claims 1-7 and 15 are rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Office Action specifically states that there is insufficient antecedent basis for the limitation "the operation sequence."

By the foregoing amendment, the problem of the antecedent basis has been corrected. Therefore, withdrawal of the rejection and allowance of these claims are respectfully requested.

V. Claim Rejection – 35 U.S.C. §101

Claims 8-14 are rejected under 35 U.S.C. §101 because the invention is directed to non-statutory subject matter. The Office Action specifically asserts that claims 8-14 are drawn to a program or software, per se, without being on a computer readable medium, which is considered as nonfunctional descriptive material, and thus nonstatutory.

By the foregoing amendment, the claims have been amended so as to claim a program product stored in a computer readable medium that permits a computer to implement the steps recited in these claims. Therefore, withdrawal of the rejection and allowance of these claims are respectfully requested.

VI. Claim Rejection under 35 U.S.C. §103

Claims 1-15 are rejected under 35 U.S.C. §103(a) as unpatentable over Keane (U.S. Patent No. 6,381,562) in view of Rudy (U.S. Patent No. 4,862,347) and further in view of Dolidon et al. (US Patent No. 5,408,623). Applicants respectfully traverse this rejection for reasons set forth below.

1. Claim 1

Claim 1 is directed to an organism simulation device comprising: two or more different simulator parts that calculate the behavior of an organism's structural elements, which are the elements making up the organism; a data output part that outputs simulation results; a simulation controller that controls a transfer of data between the two or more different simulator parts and the data output part; wherein each of the two or more simulator parts comprises: an input data reception unit for receiving data from a user and/or the simulation controller; a calculation unit for performing predetermined calculations on the data received by the input data reception unit to create output data; and an output data output unit for transferring the output data to the simulation controller; wherein the data output part comprises: an output data reception unit for receiving output data from the simulation controller; and an output unit for outputting the output data received by the output

data reception unit; and wherein the simulation controller comprises: a simulation scenario information storage unit storing simulation scenario information, which is information on a flow of data between the two or more simulator parts and the data output part, and an operation sequence thereof; a simulation scenario information input reception unit that receives an input of correction for customizing the simulation scenario information, a data reception unit for receiving data from the two or more simulator parts; an input data transfer unit for transferring the data received by the data reception unit to the simulator parts based on the simulation scenario information; and an output data transfer unit for transferring the data that have been received from the two or more simulator parts to the data output part based on the simulation scenario information.

Please note that support for the above amendment is found throughout the original specification, for example, paragraph [0024].

Keane arguably teaches a configurable bio-transport system simulator. Rudy arguably teaches a system for simulating memory arrays in a logic simulation machine. Dolidon et al. arguably teaches a processor with multiple microprogrammed processing unit.

However, the applied art fails to teach or suggest "a simulation scenario information input reception unit that receives <u>an input of correction for customizing the simulation scenario information.</u>" Please note that, with advance of medical developments, the old simulation scenario information may be required to be updated or replaced. According to the claimed invention, by the simulation scenario information input reception unit, it becomes easy to add or modify the simulation scenario information, according to such medical advance.

That is, Keane fails to teach the simulation scenario information. Even if the Examiner determines that Keane suggests such information (not admitted), Applicants believe that such simulation scenario information is incorporated in a program of the system disclosed in Keane and no means for customizing the simulation scenario information is taught, so that it may not be easily modified or simulation parts may not be replaced with new one.

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In addition, with respect to claim 5, the Office Action asserts that Rudy shows an input data permutation, a simulation profile memory and real memory with in the memory simulator, (Fig. 2) that one skilled in the art would consider to be obvious to meet the limitations of a simulation scenario information input reception portion and simulation scenario information save portion.

However, Applicants believe that in Rudy, the memory simulator 20 does not store the simulation scenario information which is information on a flow of data between the two or more simulator parts and the data output part, and an operation sequence thereof. Applicants believe that Rudy only teaches instructions within the memory simulator 20, not instructions for two or more logic simulators 16, 18, ... Thus, Rudy fails to teach or suggest "the simulation scenario information" and "a simulation scenario information input reception unit that receives an input of correction for customizing the simulation scenario information."

If the Examiner maintains the assertion that Rudy teaches a flow of data between the logic simulators 16, 18, ... and an operation sequence thereof ..., Applicants respectfully request the Examiner to articulate how Rudy can be interpreted so. Otherwise, Applicants respectfully requests Official Notice under 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Thus, claim 1 is patentable over the applied art. Therefore, withdrawal of the rejection and allowance of the claim is respectfully requested.

2. Claims 2-7

As to dependent claims 2-7, it is respectfully submitted that since they depend on claim 1, they are allowable for at least the reasons that claim 1 is allowable respectively and they are further allowable by reason of the additional limitations set forth therein.

3. Claim 8

Claim 8 is directed to program product stored in a computer readable medium that permits a computer to implement the following steps of organism simulation program comprising:

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causing two or more different simulator programs that cause a to perform simulations to be performed, and that cause the computer to calculate the calculating a behavior of an organism's structural elements, which are the elements making up the organism; causing a data output program, that causes a computer to output results of the simulation results; and causing a simulation control program, that causes a computer to control a transfer of data between the two or more different simulator programs and the data output program; wherein each of the two or more simulator programs comprise comprises: an input data reception step of receiving data from a user and/or the simulation control program; a calculation step of performing predetermined calculations on the data received in the input data reception step to create output data; and an output data output step of transferring the output data to the simulation control program; wherein the data output program comprises: an output data reception step of receiving output data from the simulation control program; and an output step of outputting the output data received by the output data reception step; and wherein the simulation control program comprises: a data reception step of receiving data from the two or more simulator programs; an input data transfer step of transferring the data received by the data reception step to the simulator programs based on simulation scenario information that is stored; and an output data transfer step of transferring the data that have been received from the two or more simulator programs to the data output program based on the simulation scenario information; and correcting the simulation scenario information based on an input of correction.

Similarly to the arguments as to claim 1, the applied art fails to teach or suggest "correcting the simulation scenario information based on an input of correction." Thus, claim 8 is patentable over the applied art. Therefore, withdrawal of the rejection and allowance of the claim is respectfully requested.

4. Claims 9-14

As to dependent claims 9-14, it is respectfully submitted that since they depend on claim 8, they are allowable for at least the reasons that claim 8 is allowable respectively and they are further allowable by reason of the additional limitations set forth therein.

5. Claim 15

Claim 15 is directed to an organism simulation system comprising: two or more different simulator part devices that calculate the behavior of an organism's structural elements, which are the elements making up the organism; a data output part device that outputs simulation results; and a simulation control device that controls a transfer of data between the two or more different simulator part devices and the data output part device; wherein the two or more simulator part devices comprise: an input data reception unit for receiving data from a user and/or the simulation control device; a calculation unit for performing predetermined calculations on the data received by the input data reception unit to create output data; and an output data output unit for sending the output data to the simulation control device; wherein the data output part device comprises: an output data reception unit for receiving output data from the simulation control device; and an output unit for outputting the output data received by the output data reception unit; and wherein the simulation control device comprises: a simulation scenario information storage unit storing simulation scenario information, which is information on the sending and receiving of data between the two or more simulator part devices and the data output part device, and an operation sequence thereof; a simulation scenario information input reception unit that receives an input of correction for customizing the simulation scenario information; a data reception unit for receiving data from the two or more simulator part devices; an input data transfer unit for sending the data received by the data reception unit to the simulator part devices based on the simulation scenario information; and an output data transfer unit for sending the data that have been received from the two or more simulator part devices to the data output part device based on the simulation scenario information.

Similarly to the arguments as to claims 1 and 8, the applied art fails to teach or suggest "a simulation scenario information input reception unit that receives an input of correction for customizing the simulation scenario information." Thus, claim 15 is

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patentable over the applied art. Therefore, withdrawal of the rejection and allowance of the claim is respectfully requested.

VII. Conclusion

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. IRD-0018 from which the undersigned is authorized to draw.

Dated: September 21, 2009   Respectfully submitted,

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